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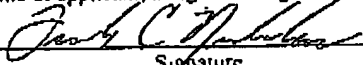
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Patent and Trademark Office on February 26, 2004  
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FRANK C. NICHOLAS (33,983)

Name of applicant, assignee or registered representative



Signature

February 26, 2004

Date of Signature

PATENT  
Case No.: GP-300954  
(2750/24)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

KENNETH P. DUDEK, ET AL.

Serial No.: 09/911,164

Filing Date: JULY 23, 2001

For: METHOD AND DEVICE FOR  
CONDUCTING MOBILE  
COMMERCE

Examiner: JASMIN, L.

Group Art Unit: 3627

RESPONSE TO OFFICE ACTION DATED DECEMBER 4, 2003

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22202-1450

Dear Sir:

In response to an Office Action dated December 4, 2003, please consider the  
following amendment and remarks regarding the above-identified application:

February 26, 2004  
Case No.: DP-300954 (2750/24)  
Serial No.: 09/911,164  
Filed: July 23, 2001  
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### INTRODUCTORY COMMENTS

The present response replies to a non-final Office Action dated December 4, 2003. Claims 1-20 are currently pending in the present application. Examiner Jasmin rejected claims 1-20.

In the first Office Action, Examiner Jasmin asserted the following actions to pending claims 1-20:

- A. Claim 20 was objected to under 37 CFR 1.75(c) as being of improper dependent form for failing to further limit the subject matter of a previous claim.
- B. Claims 1-20 were rejected under 35 U.S.C. §102(e) as being anticipated by Davis et al. US Patent No. 6,282,522.

The Applicants respectfully request reconsideration and further examination of the present application under 37 CFR § 1.112.